

DDA 76-2925

OMB

14 JUN 1976

Mr. Fernando Oaxaca
Associate Director for Management
and Operations
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Oaxaca:

I refer to your letter of 18 May 1976 requesting that OMB be advised of the CIA procedures for handling Congressional inquiries on behalf of constituents seeking information under the Privacy Act.

In formulating CIA procedures to cover this matter, we were mindful that members of Congress are obligated to serve their constituency quickly and effectively. We also had to take into account that much of the information held by CIA is of a sensitive nature and should not be subject to the possibility of dissemination to persons other than the individual concerned. We have, therefore, established an Agency policy for handling Congressional inquiries that requires the express written consent of the individual concerned prior to the release of information to a Congressional office. The implementing procedures described below fall within the context of our present regulations and Notice of Systems of Records published in the Federal Register.

CIA responds to inquiries on behalf of individuals by corresponding directly with the individual, acknowledging that the request was made through the Congressional office and informing the individual, when necessary, of the requirements for identification pursuant to our regulations. A letter acknowledging the request is sent to the member of Congress advising that CIA is in direct contact with the constituent and that the results of the record search will be forwarded directly to the requester.

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Congressional inquiries which request that correspondence and results of the record search be forwarded directly to the Congressional office are handled as exceptions to the procedure outlined above. In these cases, the express written consent of the constituent is required before the result of the record search is forwarded to the Congressional office. All correspondence is sent directly to the Congressional office; CIA does not contact the constituent. If the search results contain sensitive information on the constituent, the information is addressed to the member of Congress with the caveat "To be opened only by member of Congress."

Our experience thus far indicates that these procedures are working well. The majority of the Congressional inquiries are handled by corresponding directly with the individual concerned. The Congressional offices recognize that the Agency must have sufficient identifying information to initiate a record search and, too, routing such correspondence through Congressional offices on a routine basis would be time consuming and counterproductive. Moreover, our procedures provide for exceptional handling whereby information on a constituent may be forwarded directly to the Congressional office. Although we have had only a few cases where the exception procedure applied, Congressional offices have been understanding and cooperative in providing the necessary documentation.

Sincerely,

/s/John E. Blake
John F. Blake
Deputy Director
for
Administration

O/AI/DDA: [] ydc (9 June 1976)

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